



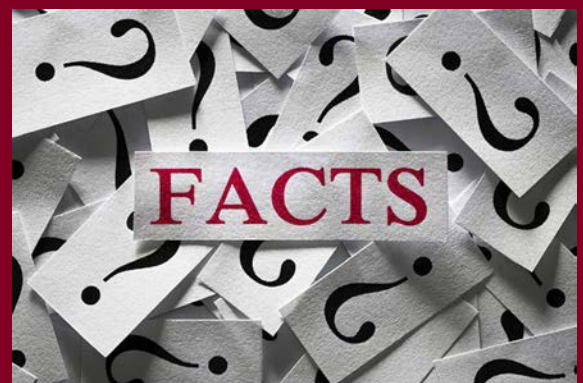
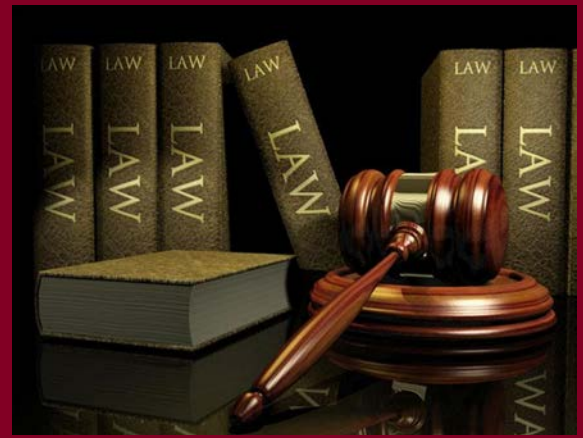
DIVISION OF INSPECTOR GENERAL

Ken Burke, CPA

Clerk of the Circuit Court and Comptroller
Pinellas County, Florida



FOLLOW-UP INVESTIGATION OF SAFETY & EMERGENCY SERVICES MISUSE OF RESOURCES AND RETALIATION



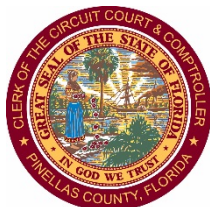
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**REPORT NO. 2019-36
December 20, 2019**



Ken Burke, CPA

CLERK OF THE CIRCUIT COURT AND COMPTROLLER
PINELLAS COUNTY, FLORIDA

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December 20, 2019

James Fogarty, Director
Safety & Emergency Services

The Division of Inspector General has conducted a Follow-Up Investigation of Safety and Emergency Services Misuse of Resources and Retaliation. The objective of our review was to determine the implementation status of our previous recommendations. We obtained the investigative purpose, background information, findings, and recommendations from the original investigative report. We added the status of recommendation implementation to this follow-up investigative report.

Of the seven recommendations contained in the original investigative report, we determined that five have been implemented, one was not implemented, and an acceptable alternative was applied to one. The status of each recommendation is presented in this follow-up report.

We appreciate the cooperation shown by the staff of the Safety and Emergency Services Department during the course of this review.

Respectfully Submitted,

Hector Collazo Jr.
Inspector General/Chief Audit Executive

cc: The Honorable Chairman and Members of the Board of County Commissioners
Barry Burton, County Administrator
Lourdes Benedict, Assistant County Administrator
Ken Burke, CPA, Clerk of the Circuit Court and Comptroller



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INTRODUCTION

Scope and Methodology

We conducted an investigative follow-up of Safety & Emergency Services Misuse of Resources & Retaliation. The purpose of our follow-up review was to determine the status of previous recommendations for improvement.

The purpose of the original investigation was to determine if:

1. Respondent #1 used Amazon and/or PayPal accounts and the County-earned points associated with their purchasing card to make personal purchases.
2. Respondent #1 shared their assigned purchasing card with others, specifically for fuel purchases.
3. Respondent #2 misused County funds that were approved for a Rescue Medic to pay for other positions.
4. Respondent #2 allowed a prior employee to access County files after employment ended, which resulted in that employee potentially changing and deleting County files.
5. Respondent #2 retaliated against the Complainant by removing the Complainant's job duties for posing questions about operations and/or for reporting allegations to various agencies.
6. Respondent #2 has not recouped funds from fire districts when the fire districts dispose of assets for which the County subsidized funding when the assets were acquired.
7. Respondent #3 accessed County files after employment ended and changed and/or deleted files.

To determine the current status of our previous recommendations, we surveyed and/or interviewed management to determine the actual actions taken to implement recommendations for improvement. We performed limited testing to verify the implementation of the recommendations for improvement.

Our investigative follow-up was conducted in accordance with the *Principles and Standards for Offices of Inspector General* and *The Florida Inspectors General Standards Manual* from The Commission for Florida Law Enforcement Accreditation and, accordingly, included such tests of records and other investigative procedures, as we considered necessary in the circumstances. Our follow-up testing was performed during the month of October 2019. The original investigative period was December 2016 through January 2018. However, transactions and processes reviewed were not limited by the investigative period.

Overall Conclusion

Of the seven recommendations in the original investigative report, we determined that five were implemented, one was not implemented, and an acceptable alternative was applied to one. We commend management for implementation of most of our recommendations and encourage management to implement the remaining recommendation.

Implementation Status Table

FIC NO.	PREVIOUS RECOMMENDATION	IMPLEMENTATION STATUS				
		Implemented	Acceptable Alternative	Partially Implemented	Not Implemented	No Longer Applicable
1	Respondent #1 Permitted Others To Use Their Purchasing Card.					
A	Develop and implement a process for purchasing fuel for County vehicles used by non-County employees, which adheres to County purchasing policies.		✓			
B	Provide training to Respondent #1, and other affected staff, on the developed process with an emphasis on following County policies.	✓				
C	Document the incidents in the FACE (Feedback, Ask Questions, Conversation, and Explore Options) performance management software system for Respondent #1, per Unified Personnel Board Policy #3 Employee Performance Management Program.				✓	
D	Impose the warranted disciplinary action(s) prescribed by Personnel Rule 6. Discipline and/or the Purchasing Card Agreement.	✓				
2	A Prior Employee's County Computer System Access Was Not Removed as Required.					
A	Develop and implement a formal exiting process for employees separating from the County to ensure all necessary exit actions are completed. Ensure the process is used for all employees leaving County employment.	✓				
B	Develop and implement a formal process for documenting and approving an employee's continued access to County systems after employment ends. The process should ensure access is as restrictive as possible and the access should be monitored so that it is deleted when no longer required.	✓				
C	Ensure staff understand and follow the established processes when employees terminate employment with the County or when exiting employees retain access to County systems.	✓				

Background

Safety and Emergency Services (SES) is responsible for ensuring public safety within the County. Several divisions within SES support the coordination of public safety efforts between the County and various local fire, emergency medical services, and law enforcement agencies. The following divisions represent SES:

- Ambulance Billing
- Radio and Technology
- Regional 9-1-1
- Emergency Medical Services (EMS)/Fire Administration

The Ambulance Billing Division supports Sunstar Paramedics (Sunstar), the County's ambulance contractor, by billing for services provided. The Radio and Technology Division ensures efficient communication among first responders by providing access to the 800MHz radio system, computer-aided dispatch, and other public safety related technology. The Regional 9-1-1 Division manages the County Communications Center, which is the single public answering point for all 9-1-1 calls originating in the County. In addition, Regional 9-1-1 provides dispatch services to all fire rescue agencies.

EMS and Fire Administration recently merged into one division to achieve an integrated system that ensures the public has access to emergency medical services. The system provides on-scene patient care by Paramedics staffing Advanced Life Support (ALS) first responder units from municipal fire departments and fire districts. Paramedics staffing ALS ambulances provided by Sunstar provide transport and continued patient care.

Eighteen municipal and independent special district fire departments provide fire protection within the County. Each of these has entered into the Automatic Aid agreement, which ensures that the closest unit responds to fire or emergency medical services calls, regardless of jurisdiction. Twelve of these agencies also contract with the County to provide fire protection to unincorporated areas within the fire districts. Four independent fire districts have taxing authority within their respective fire districts and provide fire suppression services to those residents directly.

EMS and Fire Administration also provide funding and support for two countywide Special Operations Teams: the Hazardous Materials Response Team and the Technical Rescue Team. Six fire departments provide staffing for these specialized teams, which allows for an efficient countywide delivery system. The County schedules and coordinates monthly training and provides funding for training, equipment, and vehicles for each of the Special Operations Teams. The County also provides support through its Marine Rescue Team, which supports local municipalities, as needed.

On December 1, 2016, the IG received allegations regarding activities within SES, which resulted in the IG opening an investigation. During the course of the investigation, the IG received several additional allegations. The allegations were reported to the IG on December 1, 2016, September 22, 2017, and January 8, 2018.

STATUS OF RECOMMENDATIONS

This section reports our investigative follow-up on actions taken by management on the recommendations for improvement in our original investigative report of the Investigation of Safety & Emergency Services Misuse of Resources and Retaliation. The recommendations contained herein are those of the original investigative report, followed by the current status of the recommendations.

1. Respondent #1 Permitted Others To Use Their Purchasing Card.

Respondent #1 shared their purchasing card with other individuals. During an interview with the Respondent regarding Allegation #2, Respondent #1 admitted to sharing their purchasing card in the alleged instance, as well as on another occasion. During separate interviews with the Respondent and their supervisor, the Respondent and their supervisor indicated that the supervisor was aware of the alleged instance, but not the second instance. The supervisor also recognized process improvements are needed so that employees do not share their purchasing cards in the future.

Respondent #1 works in a capacity that coordinates emergency response efforts between fire agencies during natural disasters. A team of first responders from various city fire agencies traveled to an area impacted by a natural disaster. The team was required to use a County vehicle during the deployment, but there was no County employee on the team. In order to fuel the vehicle, Respondent #1 permitted a fire agency employee to take the purchasing card during the response effort. In another instance, two fire agency staff were traveling out of state for training. Respondent #1 allowed the individuals to use the purchasing card to purchase fuel for the County vehicle they used for the travel.

The Respondent's purchasing card limit is \$20,000. When Respondent #1 allowed others who are not financially responsible for the transactions to use the card, the County experienced a financial risk of losing up to \$20,000.

The Pinellas County Purchasing Manual contains instructions regarding procurement policies, procedures, and practices. Section 15, The Pinellas County Purchasing Card Program Guidelines, contains the following direction in subsection 15.4 Purchasing Card Security, D. Authorized Use of the Card:

"Cardholder Use Only: Only the employee whose name is embossed on the purchasing card may use the purchasing card. ***NO OTHER PERSON IS AUTHORIZED TO USE THE CARD."***

In addition, Respondent #1 signed a Cardholder Agreement when the purchasing card was issued, which includes the following language:

"I have been provided a copy of the PURCHASING CARD Guidelines and attended training... and understand the PURCHASING CARD Program. I have been given an opportunity to ask any questions to clarify my understanding of the PURCHASING CARD Program," and further, "I agree that, should I violate the terms of the Agreement, I will be subject to disciplinary action up to and including termination of employment..."

We Recommended Safety & Emergency Services Management:

- A. Develop and implement a process for purchasing fuel for County vehicles used by non-County employees, which adheres to County purchasing policies.
- B. Provide training to Respondent #1, and other affected staff, on the developed process with an emphasis on following County policies.
- C. Document the incidents in the FACE (Feedback, Ask Questions, Conversation, and Explore Options) performance management software system for Respondent #1, per Unified Personnel Board Policy #3 Employee Performance Management Program.
- D. Impose the warranted disciplinary action(s) prescribed by Personnel Rule 6. Discipline and/or the Purchasing Card Agreement.

Status:

- A. **Acceptable Alternative.** The following new process was developed and implemented: The lead non-County agency employees using County vehicles must pay for the fuel with their agency issued purchasing card.
- B. **Implemented.** Respondent #1 reviewed the County training booklet on the Purchase Card policy and signed the Pinellas County Purchasing Card agreement form with the Finance Department.
- C. **Not Implemented.** The incident has not been documented in the FACE performance management software system. Management stated that since the respondent's immediate supervisor accepted accountability for the respondent's actions, they decided not to document this incident in the FACE system. We continue to encourage management to implement our recommendation.

- D. **Implemented.** Respondent#1 received a verbal warning from management. Pursuant to Pinellas County Personnel Rule 6, Section C. 1. Types of Disciplinary Action, a verbal warning is an acceptable form of progressive discipline.

2. A Prior Employee's County Computer System Access Was Not Removed as Required.

Respondent #3 maintained access to County computer systems for almost two years after termination from County employment. Although the Respondent's supervisor approved at least a portion of that time, access to County systems was not deleted when the need to access them ceased to exist. Respondent #3 terminated employment with the County on July 29, 2016. On August 2, 2016, a SES staff member sent a request to the County's Business Technology Services Department to request the Respondent's access remain active due to the Respondent working on projects for the County. Documentation provided by the Department indicated that the Respondent's supervisor approved the access as of November 21, 2016, and for some time after that date, although it was unclear when the access should be removed.

Interviews with Department Management revealed that Respondent #3 returned the County-assigned laptop to the Department in March 2017, and subsequently did not work on County projects. Interviews with Department staff revealed that the standard process of using an "Exiting Employee Notice" as a means to document steps taken when an employee separates from the department was not followed due to the employee's position in the organization. In addition, staff was unaware of when the employee officially stopped working on County projects, but indicated it had been since at least March 2017.

We determined that Respondent #3 continued to maintain access to County systems until this investigation commenced. The Respondent's access was deleted on May 11, 2018, in response to an inquiry from IG staff related to the access. Department staff indicated that Respondent #3 did not access any SES systems after employment ended. However, Respondent #3 had access to County email and other County systems for the period of July 29, 2016 to May 11, 2018.

The County's Information Security Policy states in Section II. Users, D. Privilege Control, 4. All System Access Privileges Cease When Access is No Longer Required:

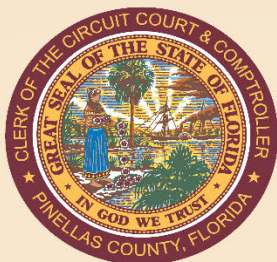
"All information systems privileges must be promptly terminated at the time that a user ceases to provide services that require access."

We Recommended Safety & Emergency Services Management:

- A. Develop and implement a formal exiting process for employees separating from the County to ensure all necessary exit actions are completed. Ensure the process is used for all employees leaving County employment.
- B. Develop and implement a formal process for documenting and approving an employee's continued access to County systems after employment ends. The process should ensure access is as restrictive as possible and the access should be monitored so that it is deleted when no longer required.
- C. Ensure staff understand and follow the established processes when employees terminate employment with the County or when exiting employees retain access to County systems.

Status:

- A. **Implemented.** SES has an appropriate protocol for exiting employees, including:
 - 1. Departmental resignation instructions
 - 2. An exiting employee checklist
 - 3. An exit interview questionnaire
 - 4. A resignation letter template.
- B. **Implemented.** Management advised that if an employee required continued access to County systems after employment termination, County Administration would be required to approve it, as restrictive as possible, and department management would monitor and review it on a weekly basis.
- C. **Implemented.** The SES departmental resignation instructions and the resignation checklist contain clear and thorough instructions for management and the departing employee regarding all tasks they must complete, and the equipment that the employee must turn in, prior to the employee termination.



DIVISION OF INSPECTOR GENERAL

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